

**UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

**PATRICIA BURNELLE, MIHO SAKAI, and
JUDY KISLING** on behalf of themselves and
all others similarly situated,

Plaintiffs,

v.

**SAGE HOME LOANS CORPORATION f/k/a
LENOX FINANCIAL MORTGAGE
CORPORATION d/b/a WESLEND
FINANCIAL,**

Defendant.

Case No. 0:24-cv-00972-MGL

**PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY APPROVAL
OF CLASS ACTION SETTLEMENT**

Patricia Burnelle, Miho Sakai, and Judy Kisling (“Plaintiffs”), through their attorneys, individually and on behalf of all others similarly situated, hereby move this Court to:

1. Grant preliminary approval of the Settlement set forth in the Settlement Agreement between Plaintiffs and Sage Home Loans Corporation f/k/a Lenox Financial Mortgage Corporation d/b/a Weslend Financial (“Defendant” or “SHLC”);
2. Provisionally certify the Settlement Class for settlement purposes only;
3. Approve the Notice Program as set forth in the Settlement Agreement and the Email Notice (Exhibit 1), Postcard Notice (Exhibit 2), and Long Form Notice (Exhibit 3);
4. Approve the Claim Form (Exhibit 4) and Claim submission process;
5. Approve the opt-out and objection procedures set forth in the Settlement Agreement;

6. Appoint Gary Klinger and David Lietz of Milberg Coleman Bryson Phillips Grossman PLLC as Class Counsel for Settlement purposes;
7. Appoint Kroll Settlement Administration, LLC as Settlement Administrator;
8. Appoint Patricia Burnelle, Miho Sakai, and Judy Kisling as Class Representatives;
9. Stay the Action pending Final Approval of the Settlement; and
10. Schedule a Final Approval Hearing—at a time and date mutually convenient for the Court, the Parties, Class Counsel, and SHLC’s Counsel—to consider entry of a final order approving the Settlement, final certification of the Settlement Class for settlement purposes only, and the request for attorneys’ fees, costs, and expenses, and Plaintiffs’ service awards.

This Motion is based upon: (1) this Motion; (2) the accompanying Memorandum in support; (3) Declaration of Gary Klinger filed in support; (4) the Settlement Agreement; (5) the [Proposed] Preliminary Approval Order; (6) the records, pleadings, and papers filed in this action; and (7) upon such other documentary and oral evidence or argument as may be presented to the Court at or prior to the hearing of this Motion.

Date: October 11, 2024

Respectfully submitted,

By: /s/ Paul J Doolittle

Paul J Doolittle

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Attorneys for Plaintiffs and Settlement Class

CERTIFICATE OF SERVICE

I hereby certify that on October 11, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

By: /s/ Paul J Doolittle

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